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PATENT
Attorney Docket No.: 040090-000210US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



On June 21, 2004

TOWNSEND and TOWNSEND and CREW LLP

By *Alan L. McNeill*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter Littrup et al.

Application No.: 10/757,769

Filed: January 14, 2004

For: CRYOTHERAPY SYSTEM

Examiner: Not yet known

Art Unit: Not yet known

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. U.S. patents are not enclosed in accordance with the Patent Office waiver issued August 5, 2003 in the Official Gazette, which states as follows:

The Office hereby waives the requirement under 37 CFR 1.98

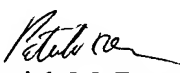
(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b).

In accordance with 37 CFR 1.98(a)(2), a copy of the foreign patent is enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,


Patrick M. Boucher
Reg. No. 44,037

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 303-571-4321
PMB:nmb
60208240 v1

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/757,769
Filing Date	January 14, 2004
First Named Inventor	Littrup, Peter
Art Unit	Not yet known
Examiner Name	Not yet known
Attorney Docket Number	040090-000210US

U.S. PATENT DOCUMENTS+

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	A1	US-4,802,475	02-07-1989	Weshahy	
	A2	US-4,946,460	08-07-1990	Merry et al.	
	A3	US-5,254,116	10-19-1993	Baust et al.	
	A4	US-5,334,181	08-02-1994	Rubinsky et al.	
	A5	US-5,433,717	07-18-1995	Rubinsky et al.	
	A6	US-5,494,039	02-27-1996	Onik et al.	
	A7	US-5,531,742	07-02-1996	Barken	
	A8	US-5,800,487	09-01-1998	Mikus et al.	
	A9	US-5,800,488	09-01-1998	Crockett	
	A10	US-5,899,897	05-04-1999	Rabin et al.	
	A11	US-5,910,104	06-08-1999	Dobak, III et al.	
	A12	US-5,978,697	11-02-1999	Maytal et al.	
	A13	US-5,993,444	11-30-1999	Ammar et al.	
	A14	US-6,039,730	03-21-2000	Rabin et al.	
	A15	US-6,074,412	06-13-2000	Mikus et al.	
	A16	US-6,139,544	10-31-2000	Mikus et al.	
	A17	US-6,142,991	11-07-2000	Schatzberger	
	A18	US-6,179,831 B1	01-30-2001	Bliweis	
	A19	US-6,190,378 B1	02-20-2001	Jarvinen	
	A20	US-6,193,644 B1	02-27-2001	Dobak, III et al.	
	A21	US-6,251,105 B1	06-26-2001	Mikus et al.	
	A22	US-2002/0040220 A1	04-04-2002	Zvuloni et al.	
	A23	US-2002/0062831 A1	05-30-2002	Beyar et al.	
	A24	US-2002/0087152 A1	07-04-2002	Mikus et al.	
	A25	US-6,451,011 B2	09-17-2002	Tu	
	A26	US-2002/0151331 A1	10-17-2002	Abdelmonem et al.	
	A27	US-6,471,694 B1	10-29-2002	Kudaravalli et al.	
	A28	US-6,475,212 B2	11-05-2002	Dobak, III et al.	
	A29	US-6,544,176 B2	04-08-2003	Mikus et al.	
	A30	US-6,602,276 B2	08-05-2003	Dobak, III et al.	
	A31	US-6,648,879 B2	11-18-2003	Joye et al.	
	A32	US-6,706,037 B2	03-16-2004	Zvuloni et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁵
		Country Code ³	Number ⁴	Kind Code ⁶ (if known)				
	B1	PCT	WO 02/096270	A2	12-05-2002	Cryomedical Sciences, Inc.		<input type="checkbox"/>
	B2							<input type="checkbox"/>

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.